

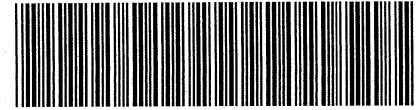
November 22, 2022

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
1821 Sam Rittenberg Blvd
Charleston, SC 29407



U.S. Citizenship
and Immigration
Services

ROHAN SETHI
412 4th Lane
Palm Beach Gardens, FL 33418



IOE0918102576

RE: ROHAN SETHI
I-290B, Notice of Appeal or Motion



A213-576-245

NOTICE OF DECISION

On October 27, 2022, you filed a Form I-290B, Notice of Appeal or Motion, with U.S. Citizenship and Immigration Services (USCIS) as a motion to reopen and/or reconsider the decision on a Form I-485, Application to Register Permanent Residence or Adjust Status. USCIS denied the Form I-485, receipt number SRC2090180475, on October 6, 2022.

Title 8 Code of Federal Regulations (8 CFR), section 103.5(a) states, in pertinent part, that:

(2) Requirements for motion to reopen. A motion to reopen must state the new facts to be provided in the reopened proceeding and be supported by affidavits or other documentary evidence. A motion to reopen an application or petition denied due to abandonment must be filed with evidence that the decision was in error because:

- (i) The requested evidence was not material to the issue of eligibility;
- (ii) The required initial evidence was submitted with the application or petition, or the request for initial evidence or additional information or appearance was complied with during the allotted period; or
- (iii) The request for additional information or appearance was sent to an address other than that on the application, petition, or notice of representation, or that the applicant or petitioner advised the Service, in writing, of a change of address or change of representation subsequent to filing and before the Service's request was sent, and the request did not go to the new address.

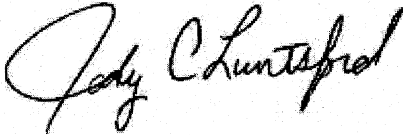
(3) ...A motion to reconsider must state the reasons for reconsideration and be supported by any pertinent precedent decisions to establish that the decision was based on an incorrect application of law or Service policy. A motion to reconsider a decision on an application or petition must, when filed, also establish that the decision was incorrect based on the evidence of record at the time of the initial decision.

We may grant a motion that satisfies these requirements.

After a thorough review, we find that the motion satisfies the regulatory requirements for filing a motion to reopen and/or reconsider at 8 C.F.R. §§ 103.5(a)(2), and 103.5(a)(3).

Therefore, we grant the motion to reopen and/or reconsider the Form I-485, Application to Register Permanent Residence or Adjust Status, of case SRC2090180475. The decision to deny the Form I-485 has been withdrawn. It is hereby ordered that a new decision on the Form I-1485 be issued.

Sincerely,

A handwritten signature in black ink, reading "Jody C Luntsford". The signature is written in a cursive, flowing style.

Jody C Luntsford
Field Office Director

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